

REMARKS

Request For Examiner Interview

Applicants respectfully request an Examiner Interview to discuss the current application. Applicants desire to discuss the currently pending claims, as well as details regarding the rejections of the Office Action of May 21, 2007 responded to herein.

Status of Claims

Applicants respectfully request entry of this amendment. Upon entry of this Amendment claims 23-34, 39-49, 52 and 53 will be pending in this application. Claims 23 and 34 are the currently pending independent claims. Claims 23 and 34 are currently amended. No new matter is added.

Response To Claim Objections

As required by the Examiner, Applicants have amended claims 23 and 34 to recite "mole %".

Response to Claim Rejections Under 35 U S C § 1.112

Support For Claimed Ranges

The claimed system operates over a wide variety of conditions. Applicants assert it is typical for equipment in the chemical industry to experience operation over a full range of conditions often ranging from ambient to a maximum operating/design temperature.

As cited in the Office Action, the claimed system can be designed to operate at temperatures consistent with its disclosed hydrogen inlet temperature of 1500°F, or about

1500°F. (*See, e.g.*, 24/25-25/2, 30/table, 31/table, original claim 9). The system also can operate at a lower recited operating temperature 800°F. (*See e.g.*, 8/19-23, 9/23-10/12, 17/table, 18/table). The claimed system can be operated at temperatures in between the lower recited temperature of 800°F and the recited temperature of 1500°F. As set forth in the Office Action, the temperature of 1200°F, or about 1200°F, is supported *e.g.*, 17/35, 20/30, 13/11-12. Accordingly, the system can be operated from a lower temperature such as the recited 800°F or at higher temperatures through a range which can include for example 1500°F, or at a temperature in between such as 1200°F.

CO Concentrations

Applicants would appreciate the opportunity to speak with the Examiner during an interview to clarify this rejection, prior to making any amendments.

Preamble Recitation

Applicants would also appreciate the opportunity to speak with the Examiner during an interview to clarify the comments made regarding the preamble recitation “system”.

Response to Rejections under 35 USC § 102(b) Over Gregoli ‘081

Claims 23-27, 29, 30, 34, 39-43, 45 and 46 stand rejected over US 4,075,081 to Gregoli (“Gregoli ‘081”). Applicants respectfully traverse. Additionally, the amendments of claims 23 and 34 render this rejection moot.

Independent claims 23 and 34 have been amended to recite the following:

... said tar sand feed having a particle size greater than the particle size of sand,
... said off gas being free of a liquid phase at said off gas

outlet . . .

Applicants respectfully assert that Gregoli '081 is a different process than claimed by Applicants. Firstly, Applicants respectfully assert that Gregoli '081 does not disclose the processing of tar sand and claimed by Applicants. Separately, Gregoli '081 employs a slurry feed with particle sizes of 10-300 microns. Applicants amended claims 23 and 34 recite "a particle size greater than the particle size of sand". Further, Applicants amended claims 23 and 34 recite "off gas being free of a liquid phase". Applicants assert Gregoli '081 has an outlet stream which has a liquid phase.

Accordingly, Gregoli '081 fails to disclose all claimed elements of applicants claimed invention and no case of anticipate exists under 35 U.S.C. § 102(b).

Response to Rejections Under 35 U.S.C. § 103(a)

Claims 28, 32, 33, 44, 48 and 49 stand rejected under 35 U.S.C. § 103(a) over Gregoli '081 in view of US 3,224,954 to Schlinger '954 ("Schlinger '954"). Claims 31-47 stand rejected under 35 U.S.C. § 103(a) over Gregoli '081 in view of US 4,125,597 to Fleck ("Fleck '597"). Claims 52 and 53 stand rejected under 35 U.S.C. § 103(a) over Gregoli '081 in view of US 3,715,301 to Tassoney ("Tassoney '301").

As set forth above, Applicants' claimed invention is distinguished over the primary reference Gregoli '081 rendering these rejections moot.

Applicants maintain their previous remarks regarding Tassoney and Schlinger as relates hereto.

Accordingly, Applicants respectfully request the withdrawal of all rejections under 35 U.S.C. § 103(a).

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully assert that all current rejections be withdrawn and assert that all pending claims are allowable and request reconsideration and the allowance of this application.

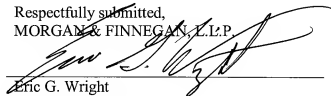
AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 3495-7000US3. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: November 20, 2007

By: _____


Eric G. Wright
Registration No. 48,045

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile